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10/083,752	02/25/2002	Stephen A. Cohen	A5WI2038US	7502

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EXAMINER

MOTTOLA, STEVEN J

ART UNIT PAPER NUMBER

2817

DATE MAILED: 08/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

083752

Applicant(s)

Cohen

Examiner

Mottola

Group Art Unit

2817

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on July 7, 2003.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-34 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 26-34 is/are allowed.
- ☒ Claim(s) 1, 2, 9-10, 13-18, 24-25 is/are rejected.
- ☒ Claim(s) 3, 4, 11, 12, 19-23 is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

Office Action Summary

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1,2,5-10,13-18 and 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Shih et al.

The rejection is slightly revised as the 'first' and 'second' transistors claimed are better read on the (unlabeled) differential pair transistors of feedback amp 230B shown in detail fig. 6a.

Shih et al. disclose a differential temperature induced offset compensation scheme for a differential amplifier as shown in fig. 3. Treating independent claims 9 and 16 along with analogous method claim 1 first, and referring to detail fig. 4 of Shih et al., transistors 372,382 for instance of fig. 4b form a differential pair connected to different sides of the differential signal path and may be read as the differential amplifier of claim 16. The differential transistors of amp 230B (unlabeled in detail fig. 6a) sense the signals V2-, V2+ in the differential signal path and may be read as the first and second transistors claimed. Then differential error amplifier 170 (fig. 3) which is part of the feedback circuit 140 may be read as the differential error amplifier of claims 9

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and 16 (together with the first and second transistors above forming a correction sensor as claimed), or as performing the providing step of claim 1, as it supplies a differential error signal to the differential signal path in response to an error signal from the transistors of feedback amp 230B. Temperature induced differential errors will be reduced as specified in the preambles of claim 1 and 9 and the last phrase of claim 16; see the abstract of Shih et al. In regard to claims 2,10 and 17-18, unlabeled transistors connected to nodes 1203,1211 at their gates (fig. 6a) supply bias current to the sources of the first and second transistors and may be read as the bias generator claimed. In regard to claims 5,6 and 13, error amplifier 170 includes a differential pair of transistors 1322,1332 as shown in fig. 6b and a differential correction current is supplied by the drains thereof. Regarding claims 7,14 and 24, the differential pair is connected to further stages (like 230) that could be regarded as 'downstream' and the error amp is connected to stage 202 which could be regarded as 'upstream' for instance. In regard to claims 8,15 and 24 as noted above the first and second transistors are directly connected to different sides of the differential signal path at their gates for instance.

Regarding the arguments presented, the low pass filter of Shih et al. is in no way excluded by the claims and all claimed elements/functions may be read on Shih et al. as described above. The arguments regarding the low pass filter do not appear to relate to any claimed limitation.

Claims 3,4,11,12 and 19-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Regarding claims 3,4,11,12,19 and 20, it would necessary to

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read the drains (analogous to collectors) of the differential amplifier transistors of Shih et al. on the 'like' terminals and the sources (analogous to emitters) as the 'same' terminals claimed. This is the reverse of the claimed arrangement. Regarding claims 21-23 Shih et al. lack the buffers claimed.


Claims 26-34 are allowed.

The prior art of record lacks the 'system' limitations of claim 26.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Mottola whose telephone number is 703-308-4914. The examiner can normally be reached on M-Th from 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Pascal, can be reached on (703) 308-4909. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
Steven J. Mottola  
Primary Examiner